

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GEORGE SANDERS and  
ANTOINETTE SANDERS,

Plaintiff(s),

**ORDER**  
CV05-3136 (DRH)(WDW)

-against-

COLLECTCORP, et al,

Defendant(s).

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**WALL, Magistrate Judge:**

Before the court is the plaintiffs' motion to compel answers to their document demands. [13]. The motion is opposed by defendants. [15] The motion is denied for failure to comply with Local Civil Rule 37.3, which requires parties to attempt to confer in good faith "in person or by telephone in an effort to resolve the dispute." The plaintiffs rely only on a letter from their counsel to defense counsel as proof of good faith effort.

The courts notes the defendants' assumption that the timing suggested by them for responses to the document demands, which were already months late, was acceptable to the plaintiffs because they did not hear otherwise. Their attention is drawn to Rule 34, which plainly states that responses to document demands are due within 30 days of service, unless a shorter or longer time is ordered by the court or agreed to by the parties *in writing*. Fed. R. Civ. P. 34(b) (emphasis added).

Both parties have requested an extension of the discovery deadlines. The court will extend all deadlines by sixty days. The May 19 pretrial conference is adjourned to **July 20, 2006**

**at 10:00 a.m.**

Dated: Central Islip, New York  
April 10, 2006

**SO ORDERED:**

/s/ William D. Wall  
WILLIAM D. WALL  
United States Magistrate Judge